

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

AARON MARTIN, et al.,	§ Civil Action No. 3:08-CV-0490-D
	§ (Consolidated with Civil Action Nos.
Plaintiffs,	§ 3:08-CV-0494-D, 3:08-CV-0502-D,
	§ 3:08-CV-0505-D, 3:08-CV-0974-D,
VS.	§ 3:08-CV-1034-D, 3:08-CV-1101-D,
	§ 3:08-CV-1185-D, 3:08-CV-1299-D,
GEORGE ZOLEY, CEO, GEO GROUP,	§ 3:08-CV-1495-D, 3:08-CV-1768-D,
INC., et al.,	§ and 3:09-CV-2326-D)
	§
Defendants.	§

**ORDER**

After making an independent review of the pleadings, files, and records in this case, and the findings, conclusions, and recommendation of the magistrate judge filed on October 19, 2011 [dkt. no. 392] , and the two findings, conclusions, and recommendations of the magistrate judge filed on October 25, 2011 [dkt. nos.401 and 402], the court concludes that the findings and conclusions are correct. It is therefore ordered that the foregoing findings, conclusions, and recommendations of the magistrate judge filed are adopted.<sup>1</sup>

Accordingly, the September 30, 2011 motion for summary judgment of defendants Ananda Babbilli, Kerri Hocking, Debbie Iredell, and Dr. Subhash Joshi [dkt. no. 375] is granted, and the actions of plaintiff Willie E. Hardeman (“Hardeman”) against these defendants are dismissed with prejudice by Fed. R. Civ. P. 54(b) judgment filed today. These defendants’ July 21, 2011 motion to dismiss is denied without prejudice as moot [dkt. no. 333]. Hardeman’s August 3, 2011 motion not to dismiss for failure to prosecute [dkt. no. 347] is also denied as moot. Hardeman’s August 18,

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<sup>1</sup>In adopting the October 25, 2011 findings, conclusions, and recommendation of the magistrate judge [dkt. no. 402] that address plaintiff’s motions for summary judgment, the court need not rely on plaintiff’s failure to obtain leave of court to file more than one motion, as N.D. Tex. Civ. R. 56.2(b) requires.

2011 motion to prosecute the Texas Attorney General and Jefferson County [dkt. no. 354], August 26, 2011 deliberate indifference to prisoner motion [dkt. no. 362], September 6, 2011 deliberate indifference motion [dkt. no. 364], September 22, 2011 motion for summary judgment [dkt. no. 367], and October 4, 2011 motion for summary judgment [dkt. no. 379] are denied.

Hardeman has filed a motion addressed to Castro Roofing of Texas, L.P. (“Castro Roofing”) [dkt. no. 419]. But because Hardeman has not sued Castro Roofing, and because Castro Roofing is no longer a party because the remaining plaintiffs who did sue Castro Roofing have dismissed their claims against it [dkt. no. 403], this motion is denied.

The following pleadings that Hardeman filed after the magistrate judge filed his findings, conclusions, and recommendations, and that have been docketed by the clerk of court as motions, are denied [dkt. nos. 411, 412, 413, 416, 417, 421, 422, 430, and 431].<sup>2</sup>

The January 4, 2012 motion to strike [dkt. no. 432] of defendants George Zoley, David McCommis, Michael G. Ringer, Lonnie Bratcher, Daniel Simpson, Marlana Friddle, Lonnie Morphis, Joseph Smith, Maria A. Chapa, The Geo Group, Inc., Joseph Wright, Elaine Slavik, David S. Herrera, Deandra M. Chenault, Lt. Fred Tunaitis, Richard Shufelt, Brenda Wilkerson, Benny Dunsworth, Sgt. Shawna Jackson, Lonnie Simpson, Nadia R. Jackson, Nurse Jane Doe, Ananda Babbilli, Kerri Hocking, Debbie Iredell, and Dr. Subhash Joshi is denied without prejudice as moot


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<sup>2</sup>To the extent the motions refer to Castro Roofing, they are denied for the reasons stated in denying dkt. no. 419.

to the extent it is addressed to motions filed by Hardeman.

**SO ORDERED.**

January 9, 2012.

  
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SIDNEY A. FITZWATER  
CHIEF JUDGE